

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

C.A. NO. 05-11323MLW

CRYSTAL A. ATHERTON and ROBERT W.  
ATHERTON,  
Plaintiffs

v.

CITY OF BEVERLY, WILLIAM F.  
SCANLON, in his official and individual  
capacity, and JOHN DUNN, in his official and  
individual capacity,  
Defendants

JOINT MOTION TO POSTPONE STATUS  
REPORT AND CONFERENCE

Now come the parties in the above-captioned action and hereby request this Honorable Court to postpone the status report and status conference currently set to occur in June 2007 for the reasons explained more fully below:

1. During the last status conference, held with the Court on March 14, 2007, the Court ordered the parties to file a status report on June 22, 2007 regarding settlement. During the conference the Court also suggested that the parties return for another status conference on June 22, 2007 at a time to be scheduled by the Court to report on settlement progress. No notice for said status conference has issued from the Court as of today.
2. The parties are currently engaged in the discovery process and have had to continue various scheduled depositions due to scheduling conflicts. Interrogatory requests and requests for production of documents have issued and depositions are being scheduled. The discovery period does not expire until November 30, 2007.
3. The parties jointly request that the status report and status conference be postponed to allow the parties a sufficient opportunity to conduct discovery and evaluate settlement after the majority of discovery is completed.

Based upon the above-stated grounds, the Parties jointly request that the status report be postponed until September 12, 2007 and a status conference to report on settlement progress be held on September 19, 2007 at a time determined by the Court.

DEFENDANTS,  
By their attorneys,

PLAINTIFFS,  
By their attorney,

/s/ Elizabeth R. Corbo  
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